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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Waymo LLC.

Plaintiff,

V.

23 Uber Technologies, Inc.; Ottomotto LLC; Otto
24 Trucking LLC.

Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANT OTTO TRUCKING LLC'S
NOTICE TO JOIN AND ADOPT
DEFENDANTS UBER TECHNOLOGIES,
INC. AND OTTOMOTTO LLC'S
OPPOSITION TO WAYMO LLC'S
MOTION *IN LIMINE* NO. 14**

Hearing Date: September 27, 2017
Hearing Time: 8:00 a.m.
Courtroom: 8 (19th Floor)
Judge: The Honorable William Alsup

Trial: October 10, 2017

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT Defendant Otto Trucking LLC (“Otto Trucking”) hereby
3 joins and adopts Co-Defendants Uber Technologies, Inc.’s (“Uber”) and Ottomotto LLC’s
4 (“Ottomotto”) Opposition to Waymo’s Motion *In Limine* No. 14 to Exclude Evidence of
5 Levandowski’s Failure to Cooperate:

6 1. On September 7, 2017, Waymo served its Motion *In Limine* No. 14 on defendants.

7 2. On September 13, 2017, Defendants Uber and Ottomotto served its Opposition to
8 Waymo’s Motion *In Limine* No. 14 to Exclude Evidence of Levandowski’s Failure to Cooperate and
9 supporting papers on Waymo.

10 3. Pursuant to parties agreement and the Court’s orders, Waymo will file the combined
11 motion *in limine* and opposition.

12 4. Otto Trucking joins and adopts, as if set out verbatim herein, the arguments,
13 authorities, contentions, and prayers of Co-Defendants Uber and Ottomotto in their Opposition to
14 Waymo’s Motion *In Limine* No. 14 to Exclude Evidence of Levandowski’s Failure to Cooperate for
15 the reason that said response is equally applicable to Otto Trucking in the above-captioned matter.

16 5. In addition, Otto Trucking refers to and incorporates by reference its Opposition to
17 Waymo’s Motion *In Limine* No. 16, in particular, its discussion at pp. 2-3 regarding Anthony
18 Levandowski’s alleged involvement in obtaining Ms. Seval Oz’s earrings, filed concurrently
19 herewith.

20 6. Otto Trucking joins and adopts Co-Defendants’ Opposition to Waymo’s Motion *In*
21 *Limine* No. 14 to best serve justice and avoid unnecessary or duplicative effort, time, or expense to
22 the parties involved.

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1 WHEREFORE, Defendant Otto Trucking LLC hereby joins and adopts Co-Defendants'
2 Opposition to Waymo's Motion *In Limine* No. 14 to Exclude Evidence of Levandowski's Failure to
3 Cooperate.

4 Dated: September 13, 2017

Respectfully submitted,

5 By: /s/ Neel Chatterjee
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PROOF OF SERVICE

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action. My business address is: Three Embarcadero Street, 28th Floor, San Francisco, California 94111.

On September 13, 2017, I served the following documents by placing a true copy thereof in a sealed envelope(s) on the persons below as follows:

**DEFENDANT OTTO TRUCKING LLC'S NOTICE TO JOIN AND ADOPT
DEFENDANTS UBER TECHNOLOGIES, INC. AND OTTOMOTTO LLC'S
OPPOSITION TO WAYMO LLC'S MOTION *IN LIMINE* NO. 14**

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- (MAIL). I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Los Angeles, California.
 - (OVERNIGHT DELIVERY). I deposited in a box or other facility regularly maintained by FedEx, an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed as stated above, with fees for overnight delivery paid or provided for.
 - (E-MAIL or ELECTRONIC TRANSMISSION). Based on a court order or *an agreement of the parties to accept service by e-mail or electronic transmission*, I caused the documents to be sent to the persons at the e-mail addresses listed. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **September 13, 2017**, at San Francisco, California.

Hayes P. Hyde

(Type or print name)

/s/ Hayes P. Hyde

(Signature)